

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

950

CA 09-01673

PRESENT: MARTOCHE, J.P., CENTRA, CARNI, LINDLEY, AND GREEN, JJ.

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HOLLY LAPE, PLAINTIFF-RESPONDENT,

V

ORDER

WILLIAM GOLDBACH, ROLLINS, INC. AND  
ORKIN, INC., DEFENDANTS-APPELLANTS.

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DAMON MOREY LLP, BUFFALO (MICHAEL L. AMODEO OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS.

CAMPBELL & SHELTON LLP, EDEN (R. COLIN CAMPBELL OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered August 5, 2009 in a personal injury action. The order granted the motion of plaintiff for partial summary judgment.

Now, upon reading and filing the stipulation of discontinuance of appeal signed by the attorneys for the parties on May 19, 2010,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: October 1, 2010

Patricia L. Morgan  
Clerk of the Court